

EXHIBIT B

Proposed Agricultural-Related Zoning Ordinance Minor Amendments (Full Text)

Proposed Agricultural-Related Minor Amendments Reference Sheet

(Draft Ordinance Revision Date 11/2017)

| Chapter.Section | Page No.(s) | Reason for Revision |
|--|-------------|---|
| Article 4: Section 130.40.060.C.2 Agricultural Preserves and Zones: Contracts, Criteria and Regulations – Use and Structures | 6 | Language clarification for internal consistency with other provisions of Title 130. |
| Article 4: Section 130.40.060.D.4 Williamson Act Contract – Non Renewal | 7 | Typos/Errors |
| Article 4: Section 130.40.120.E.3.d Agricultural Employee and Seasonal Worker Housing | 22 | Language clarification for internal consistency with other provisions of Title 130. |
| Article 4: Section 130.40.120.E.3.d Agricultural Employee and Seasonal Worker Housing | 22 | Language clarification for internal consistency with other provisions of Title 130. |
| Article 8: Section 130.80.020 (Glossary): Agriculture, Value- Added Product | 2 | Language clarification for internal consistency with other provisions of Title 130. |
| Article 8: Section 130.80.020 (Glossary): Animal Keeping | 3 | Language clarification for internal consistency with other provisions of Title 130. |
| Article 8: Section 130.80.020 (Glossary): Farmer’s Market | 11 | Typos/Errors |
| Zoning Tables: Table 130.21.020 Agricultural, Rural Lands and Resource Zone Districts Use Matrix | 14 | Language clarification for internal consistency with other provisions of Title 130. |
| Zoning Tables: Table 130.21.020 Agricultural, Rural Lands and Resource Zone Districts Use Matrix | 15 | Typos/Errors; Corrects erroneous names of the referenced Title and the responsible agency. |
| Zoning Tables: Table 130.40.400.1 Wineries Allowed Uses Matrix – Article 4 | 98 | Language clarification for internal consistency with other provisions of Title 130. |
| Zoning Map: APN 040-080-06 | N/A | Mapping Error |
| Zoning Map: 2 APNs: 074-042-02 and 074-042-03 | N/A | Revise zone designation for consistency with Board-Adopted 2015 TGPA-ZOU Mapping Criteria. |

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and establishment of a Preserve, subject to the specific provisions of Subsection 130.21.010 (Matrix of Allowed Uses), Subsections C.1 (Planned Agricultural (PA) , C.2 (Limited Agricultural (LA) and C.3 (Agricultural Grazing).

2. **Term.** The initial term of a contract is ten years, calculated from January 1 of the same year it is approved in. On each anniversary date of a contract, a year shall be automatically added to the initial term unless written Notice of Non-Renewal is given as provided in Subsection D (Non-Renewal of Williamson Act Contracts/Agricultural Preserves) below. If the property owner or the county serves written Notice of Non-Renewal in any year, the contract shall remain in effect for the balance of the unexpired term.

C. Preserve Standards.

1. **Minimum Acreage.** The minimum acreage of a Preserve shall be:
 - a. 20 acres for high intensive farming operations or 50 acres for low intensive farming operations, consisting of a single lot or contiguous lots; or
 - b. At least ten acres but less than 20 acres upon a positive recommendation from the Ag Commission and approval by the Board if the property meets all land suitability requirements for agricultural potential, and the lot was or contiguous lots were in existence as of March 23, 1993.
2. **Use and Structures.** The use of the property shall be limited during the term of the contract to agricultural and compatible uses. Structures may be erected and/or enlarged on the property ~~upon a positive recommendation from the Ag Commission and approval by the Board~~ if they are directly related to and compatible with uses allowed in Table 130.21.020 (Agricultural and Resource Zone Districts Use Matrix) Non-compatible uses permitted in the Zone District may be permitted by CUP and require a recommendation from the Agricultural Commission.
3. **Residential Development.** In addition to a primary dwelling, one secondary dwelling may be allowed within a Preserve by Administrative Permit approval in compliance with Section 130.52.010 (Administrative Permit, Relief, or Waiver), providing all of the following findings regarding the secondary dwelling can be made:
 - a. It complies with all other zone setbacks and development standards, including agricultural buffer setbacks, if applicable;
 - b. It is consistent with the terms of the applicable Agricultural Preserve Contract; and is incidental to the agricultural use of the land;

- c. It is consistent with the principles of compatibility in compliance with California Government Code Section 51238.1(a), as determined by the Ag Commission.

D. Non-Renewal of Williamson Act Contracts/Agricultural Preserves. In compliance with California Government Code Section 51245, a Notice of Non-Renewal shall be processed according to the following procedures:

1. A written Notice of Non-Renewal (Notice) shall be submitted by the property owner and a copy provided to the Board at least 90 days prior to the contract renewal date, which would be by October 1 for the upcoming year.
2. A Notice of Non-Renewal, initiated by the County, shall be submitted to the property owner at least 60 days prior to the annual contract renewal date.
3. Upon receiving a Notice, the Clerk of the Board shall forward such Notice to the Department, the Assessor, and the Ag Commission for a report.
4. The Department shall submit a written report to the Ag Commission indicating whether the Notice is for a partition, a roll out, or a partial roll out; ~~as defined in Article 8 (Glossary): See "Williamson Act Contract"~~, and other relative information regarding the agricultural preserve, with a copy to the Board.
5. When the Notice is for a partition or partial roll out, the remaining parcels under contract will be required to meet the minimum Williamson Act Contract criteria specified by the County. The Ag Commission shall be required to make a recommendation, to the Board, on the viability of the remaining parcels within the Williamson Act Contract (WAC). If the remaining parcels meet the minimum criteria for a WAC, the existing contract shall be amended to reflect the changes to the parcel descriptions or boundary lines.
6. When the Notice concerns a complete Non-Renewal (total roll out of a contract), the Ag Commission may submit a report to the Board giving an evaluation of the potential impacts resulting from the Notice.
7. The Board shall receive and file the Notice and direct the county Assessor to begin the roll-out procedure, or when partial roll-out has been requested and it has been determined by the Board that the remaining portion of the agricultural preserve no longer meets the minimum criteria to qualify as an agricultural preserve, direct the Clerk of the Board to file a Notice of Non-Renewal for the entire contract.

E. Breach of Contract. The county shall file a Notice of Non-Renewal (Notice) when the Board finds that a breach of contract has occurred, when the property no longer meets minimum criteria as a Preserve, or when the remaining property in a partial roll out no longer qualifies as a Preserve under the Williamson Act.

- d. Recreational vehicles and temporary structures may be utilized for seasonal worker housing, ~~including agricultural worker housing for six or fewer employees subject to the requirements under Section 130.40.100 (Camping and Recreational Vehicle Parks).~~

F. Removal of Housing Unit. A commercial caretaker, agricultural employee, or seasonal worker housing unit shall remain in use concurrent with the existence of the use that justifies the housing unit. Upon termination of the allowed use, the housing unit shall be removed if a temporary structure, or converted to another allowed use if a permanent structure.

130.40.130 Communication Facilities

A. Applicability. This Section provides for the orderly development of commercial and private wireless communication facilities including transmission and relay towers, dishes, antennas, and other similar facilities. The Board finds that minimizing the number of communication facilities through co-locations on existing and new towers and siting such facilities in areas where their potential visual impact on the surrounding area is minimized will provide an economic benefit and will protect the public health, safety and welfare.

1. Communication service providers shall:
 - a. Employ all reasonable measures to site their antennas on existing structures as facade mounts, roof mounts, or co-location on existing towers prior to applying for new towers or poles;
 - b. Work with other service providers and the Department to co-locate where feasible. Where co-location on an existing site is not feasible, develop new sites which are multi-carrier to facilitate future co-location, thereby reducing the number of sites countywide;
2. Generally, the county will seek to minimize the visual impacts of wireless communication facilities by limiting the number of facilities. However, the county may require construction of a number of smaller facilities instead of a single monopole or tower if it finds that multiple smaller facilities are less visually obtrusive or otherwise in the public interest.

B. Permit Requirements. Communication Facilities, as defined in Article 8 (Glossary), shall be allowed subject to the following standards and permitting requirements:

1. **Repeaters and Other Small Facilities.** Repeaters and other similar small communication facilities that do not exceed five square feet and do not protrude more than 18 inches from the mounting surface or extend more than three feet above the roofline may be allowed by right in any zone provided that no additional equipment is required.

Agricultural Fencing. Fencing constructed of woven or mesh wire, barbed wire, electrified wire, board construction, and similar materials creating a barrier at least 50 percent open, as described in the California Food and Agricultural Code Section 130121 for the purpose of containing livestock and/or controlling predators.

Agricultural Homestays. (Use Type) See “Lodging Facilities”

Agricultural Structure. See “Structure: Agricultural”

Agricultural Support Services. (Use Type) Agriculturally related services, such as processing, packing, and storage of agricultural products; sales, maintenance, and repair of farm machinery and equipment; domestic farm animal sales; veterinary clinics; custom farming services; agriculturally-related building supply, feed and farm supply stores; agri-tourism facilities; greenhouses and nurseries; equestrian facilities; agricultural waste handling and disposal services; and other similar related services. (See Section 130.40.070: Agricultural Support Services).

Agriculturally Incompatible Uses. See “Incompatible Uses: Agricultural”

Agriculture. The use of land for agricultural purposes, including farming, dairying, pasturage agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry; and related accessory uses for packing, treating, or storing of produce or animal products that are secondary to normal agricultural activities.

Agriculture, Value-Added Product. A change in the physical state or form of an agricultural commodity including but not limited to making apples into pie or cider, grapes into wine, or the production of jam from fruit for purposes of on-site or off-site sales, when such activities are consistent with Section 130.40.400 (Wineries), Section 130.40.260 (Ranch Marketing) and other applicable provisions of this Title.

Airport, Airstrips, and Heliports. (Use Type) A place where aircraft take off or land, whether on land or water, or for agricultural purposes such as crop dusting but does not include places where aircraft land and take off solely for emergency purposes. It may include land improved and intended for aircraft storage, cargo, passengers, airport and airspace control facilities, repairs, or refueling.

Airport Comprehensive Land Use Plan (CLUP). The document prepared by the Airport Land Use Commission pursuant to Section 21675 of the Public Utilities Code that specifies land use and development policies to protect the safety and general welfare in the vicinity of county airports and to assure the safety of air navigation.

Airport Hazard. Any structure or natural growth that obstructs the navigable air space.

Airport Imaginary Surfaces. Surfaces established in relation to the end of each runway or designated takeoff and landing area, as defined in applicable Federal Aviation Regulations (Part 77). Such surfaces include imaginary approach, horizontal, conical, transitional, primary, and other surfaces. These surfaces are specifically described for each airport in the airport comprehensive land use plan (CLUP).

Animal, Domestic Farm. Any of a number of animal species commonly reared or used for food, fur, herding, riding, or other similar uses, including but not limited to horses, cattle, sheep, herding dogs, goats, pigs, rabbits, poultry, fowl, ostriches, emus, and small fur-bearing animals not classified as exotic or wild (as defined in Title 6: Animals, Section 6.04.020: Definitions, of the County Code of Ordinances).

Animal, Exotic. Any bird, mammal, fish, amphibian, or reptile not normally domesticated in the state of California, as determined by the California Department of Fish and Game.

Animal Husbandry Project. (Use Type) The raising of farm or game animals such as cattle, horses, goats, sheep, hogs, chickens, rabbits, birds, etc., including but not limited to school, Grange, 4-H or Future Farmers of America (FFA) project.

Animal Keeping. (Use Type) The maintaining, keeping, feeding, and raising of animals. (See Section 130.40.080: Animal Raising and Keeping. [Also see Section 130.40.160.C.13: Home Occupations - Horse Boarding](#)).

Animal Sales and Service. (Use Type) Establishments engaged in animal-related sales and services, as follows:

Kennel, Commercial. Indoor and outdoor breeding and boarding of dogs, cats, and similar small animals, and dog training centers.

Pet Grooming and Pet Stores. The sale of dogs, cats, rodents, fish, birds, and similar small animals, the sale of pet food and supplies, grooming services, and limited indoor boarding.

Veterinary Clinics. A fully enclosed veterinary facility providing acute and long-term medical care for household pets and domestic farm animals. A clinic may include facilities for indoor boarding and grooming of dogs, cats and other small animals and incidental sale of pet food and supplies. (See Section 130.40.070: Agricultural Support Services).

Antenna. Any system of wires, poles, rods, reflecting discs or similar devices used for the transmission or reception of electromagnetic waves when such system is either external to or attached to the exterior of a building or structure. (Ord. 4589, 2001) (See Section 130.40.130: Communication Facilities).

Apartment. See “Dwelling, multi-unit”

Appeal. A formal request by the applicant or interested party for the review authority to reconsider and either uphold or overturn the decision of an earlier review authority, in compliance with Article 6 (Appeals).

Arbor. See “Structure”

Artificial Slope. A slope created as a result of grading that is allowed under a grading permit, or for which a permit was not required at the time the slope was created.

Commercial Caretaker. For the exclusive use of an employee hired for security purposes on the same premises as a commercial, industrial and recreational or civic use.

Construction. For the exclusive use of employees hired to work on construction projects in remote areas, during the duration of the construction activities, where permanent housing is infeasible and temporary housing is unavailable.

Seasonal Worker. For the exclusive use of employees hired to assist in recreational operations that are seasonal and, by their nature, located in rural areas deficient in rental housing.

Employer-sponsored Child Day Care Center. (Use Type) Any child day care facility at the employer's site of business operated directly or through a provider contract by any person or entity having one or more employees, and available exclusively for the care of children of that employer, and of the officers, managers, and employees of that employer. (See Section 130.40.110: Child Day Care Facilities).

Equivalent Occupancy. The number of persons that can occupy a building or use where fixed seating does not exist.

Farm Machinery and Equipment, Sales & Maintenance. (Use Type) The repair, alteration, and finishing of farm machinery and equipment or other products on the same site as the retail sales of such farm machinery and equipment as a service to purchasers. The wholesale or retail sale of such products could be a primary or accessory use.

Farmers' Market. (Use Type) The temporary use of an off-site location for the sale of food and farm produce, nursery plants and flowers, and handicrafts by multiple vendors that is usually conducted from parked vehicles or accessory display tables. (See Section 130.2040.220: Outdoor Retail Sales).

Certified Farmer's Market. (Use Type) A location approved by the Agricultural Commissioner of that county where agricultural products are sold by producers or certified producers directly to consumers or to individuals, organizations, or entities that subsequently sell or distribute the products directly to end users. A certified farmer's market may only be operated by one or more certified producers, by a nonprofit organization, or by a local government agency. (CCR 1392.2(a)) (See Section 130.40.220: Outdoor Retail Sales).

Farmland Conservation Contract. Contracts establishing agricultural preserves and zones in compliance with the California Land Conservation Act of 1965 (Williamson Act) and farmland security zone legislation under California Government Code Chapters 51200 and 51296-51297, respectively. (See Section 130.40.060: Agricultural Preserves and Zones: Contracts, Criteria, and Regulations).

Federal Endangered Species Act. Those federal statutes found at 16 United States Code (USC) 1531 et seq. and their implementing regulations.

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|---|---|-----|-----|-----|-----|-----|-------------------|
| LA: Limited Agricultural PA: Planned Agricultural AG: Agricultural Grazing RL: Rural Lands FR: Forest Resource TPZ: Timber Production Zone | P Allowed use A Administrative permit required (130.52.010) TUP Temporary use permit required (130.52.060) CUP Conditional use permit required(130.52.020) MUP Minor use permit required (130.52.020) TMA Temporary mobile home permit (130.52.050) — Use not allowed in zone | | | | | | |
| USE TYPE | LA | PA | AG | RL | FR | TPZ | Specific Use Reg. |
| Recreation and Open Space | | | | | | | |
| Campground | CUP | CUP | CUP | CUP | CUP | CUP | 130.40.100 |
| Golf Course | — | — | — | CUP | — | — | |
| Hiking and Equestrian Trail | P | P | P | P | P | P | |
| Hunting/Fishing Club or Farm | A | P | P | P | P | P | 130.40.210. D |
| Hunting/Fishing Club or Farm Facility | CUP | CUP | CUP | CUP | CUP | CUP | 130.40.170. B |
| Marina: Non-motorized Craft | — | CUP | CUP | CUP | CUP | CUP | |
| Off-Highway or Off-Road Vehicle Recreation Area | — | — | — | — | CUP | == | |
| Park, day use | — | — | — | CUP | CUP | — | 130.40.210 |
| Picnic Area | P | P | P | P | P | P | |
| Resource Protection and Restoration | P | P | P | P | P | P | |
| Ski Area | — | — | — | CUP | CUP | == | 130.40.210 |
| Snow Play Area | — | — | — | CUP | CUP | CUP | |
| Special Events, temporary | TUP | TUP | TUP | TUP | TUP | TUP | |
| Stable: Commercial | CUP | CUP | CUP | CUP | CUP | CUP | 130.40.210 |
| Trail Head Parking or Staging Area | CUP | CUP | CUP | CUP | CUP | CUP | 130.40.210 |
| Civic Uses | | | | | | | |
| Cemetery | — | — | CUP | CUP | CUP | — | |
| Churches and Community Assembly | — | — | — | CUP | CUP | — | |
| Community Services: Intensive | CUP | CUP | CUP | CUP | CUP | — | |
| Minor | CUP | CUP | CUP | CUP | CUP | — | |
| Schools: College and University | — | — | — | CUP | — | — | 130.40.230 |
| Elementary and Secondary, Private | — | — | — | CUP | — | — | |
| Transportation | | | | | | | |
| Airports, Airstrips, and Heliports | CUP | CUP | CUP | CUP | CUP | CUP | |
| Utility and Communication | | | | | | | |

| | | | | | | | |
|---|---|---------|---------|---------|---------|-----|-------------------|
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| USE TYPE | LA | PA | AG | RL | FR | TPZ | Specific Use Reg. |
| Communication Facilities | A / CUP | A / CUP | A / CUP | A / CUP | A / CUP | CUP | 130.40.130 |
| Public Utility Service Facilities: Minor | — | CUP | CUP | CUP | CUP | CUP | 130.40.250 |
| Minor | P | P | P | P | P | P | |
| Wind Energy Conversion System | See Table 130.40.390.1 (WECS Use Matrix) | | | | | | 130.40.390 |
| NOTES: ¹ In FR and TPZ only, logging camps and sawmills may be allowed by CUP. ² Dogs used for herding or guardian purposes in commercial ranching or browsing operations are allowed by right subject to licensing requirements of Animal Control <u>the County Animal Services Division</u> in compliance with Title 6 (Zoning Ordinance Administration). ³ Subject to the issuance of an Administrative Permit, unless otherwise specified in Section 130.40.220 (Outdoor Retail Sales). * Or as permitted in Section 130.40.400 (Wineries) or Section 130.40.260 (Ranch Marketing) ** ² Accessory to Off-highway or off road vehicle recreational uses | | | | | | | |

130.21.030 Development Standards

Allowed uses and associated structures shall comply with the following development standards in addition to any other applicable requirements of this Title, unless a variance is obtained in compliance with Section 130.52.070 (Variance) or standards are modified pursuant to a Development Plan permit in compliance with Section 130.52.040 (Development Plan Permit):

| | | | | | | |
|--|---|---|---|--|--|------------------------|
| LA: Limited Agricultural PA: Planned Agricultural AG: Agricultural Grazing RL: Rural Lands RE: Estate Residential | | A Administrative Permit MUP Minor Use Permit P Allowed use CUP Conditional Use Permit required (Section 130.52.020) TUP Temporary Use Permit — Use not allowed in zone | | | | |
| | PERMIT REQUIRED BY ZONE | | | | | |
| | AG & PA 20+ Acres | PA 10 -19.9 Acres; In Ag District | PA 10 - 19.9 Acres; Out of Ag District | RE-10 & RL 10+ Acres; In Ag District | RE-10 & RL 10+ Acres; Out of Ag District | LA 10+ Acres |
| USE | | | | | | |
| Winery | P | P | MUP | MUP | CUP | CUP |
| <u>Production Facilities</u> | P | P | P | P | P | P |
| <u>Full Service Facilities</u> | P | P | MUP | MUP | CUP | CUP |
| <u>Tasting Facilities</u> | P | P | MUP | MUP | CUP | CUP |
| Wholesale/Retail Sale of Wine | P | P | MUP | MUP | CUP | CUP |
| Art/merchandise Sales | P | P | P | A | CUP | MUP |
| | | | | | | |
| Campground | | | | | | |
| Temporary | TUP | TUP | TUP | TUP | TUP | TUP |
| Permanent | CUP | CUP | CUP | CUP | CUP | CUP |
| Picnic Areas | P | P | P | P | A | A |
| Events | | | | | | |
| Marketing/Promotional | P | P | A | MUP | CUP | MUP |
| Special Events | P | P | MUP | MUP | CUP | CUP |
| Agricultural museums | P | P | A | MUP | CUP | CUP |
| Commercial Kitchen | | | | | | |
| Food preparation, on-site | P | P | A | MUP | CUP | MUP |
| Catering, off-site | P | P | A | MUP | CUP | MUP |
| Dining facilities | CUP | CUP | CUP | CUP | CUP | CUP |
| Distilleries | CUP | CUP | CUP | CUP | CUP | CUP |
| Lodging | | | | | | |
| Agricultural Homestays | See Table 130.40.170.1 (Agricultural Lodging) | | | | | |
| Agricultural & Timber Lodging | See Table 130.40.170.1 (Agricultural Lodging) | | | | | |
| Special Events (in excess of E.3) | TUP/CUP | TUP/CUP | TUP/CUP | TUP/CUP | TUP/CUP | TUP/CUP |
| Music Festivals & Concerts | TUP/CUP | TUP/CUP | TUP/CUP | TUP/CUP | TUP/CUP | TUP/CUP |

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